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SEP 26 2005

Department of Water Resources

PORTNEUF RIVER SETTLEMENT AGREEMENT BASIN 29: PORTNEUF RIVER

THIS PORTNEUF RIVER SETTLEMENT AGREEMENT (the "Agreement") is made and entered into this 23rd day of March, 2005, PORTNEUF-MARSH VALLEY CANAL COMPANY, McCAMMON DITCH COMPANY, PORTNEUF IRRIGATING COMPANY, LAVA IRRIGATION COMPANY, DEMPSEY IRRIGATING COMPANY, TOPAZ IRRIGATION COMPANY, INDIAN FALLS PROPERTY ASSOCIATION/INDIAN FALLS WATER USERS ASSOCIATION, FISH CREEK IRRIGATING COMPANY (referred to collectively as the "Canal Companies"), and the individual parties whose names are set forth upon the signature page. The foregoing are sometimes referred to herein individually as a "Party" or collectively as the "Parties".

RECITALS:

A. The water rights in the Portneuf River and its tributaries (Basin 29) are being adjudicated in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, Case No. 39576 in the Matter of the Snake River Basin Adjudication ("SRBA").

B. The parties have submitted water right claims in the Portneuf River Basin 29 in the pending SRBA, IDWR has submitted Water Right Recommendations in the Basin 29 Director's Report filed with the SRBA District Court in July 2003 with respect to each of said claims and certain parties have filed objections thereto.

C. The parties desire to enter into this Agreement for the purpose of fully compromising and settling all of their pending claims and objections in Portneuf River Basin 29.

AGREEMENT:

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED among the parties as follows:

1. Extended Irrigation Season.

All extended irrigation season water right claims submitted by the parties as recommended by IDWR are approved with a period of use commencing April 1 and ending April 14 (the "early season") and September 16 and ending October 31 (the "late season") each year, and shall be partially decreed by the Court accordingly. After October 31 each year, all headgates will be closed and no water may be diverted, excepting only the diversion of quantities as may be necessary to supply stock water rights that are partially decreed.

2. Administration by Division.

For the purpose of administering and delivering all water rights in Portneuf River Basin 29, the Portneuf River will be divided at the Topaz Gauge and administered in two separate reaches. The reach above the Topaz Gauge will be known as the "Upper Division", and the reach below the Topaz Gauge will be known as the "Lower Division".

3. Minimum Stream Flow at Topaz Gauge.

A minimum stream flow will be established in the manner described below and maintained at the Topaz Gauge each year for purposes of administering and delivering water during the late irrigation season. Above the minimum flow level at the Topaz Gauge, late season water rights in the Upper Division may be diverted and delivered as decreed without restriction. Below the minimum flow level at Topaz, water rights in the Upper Division will be subject to administration and curtailment by the water master as necessary to maintain the established minimum flow at Topaz during the late irrigation season.

The minimum stream flow level at Topaz will be established annually in the following manner. First, the average flow at the Topaz Gauge will be determined as of the end of the normal irrigation season, September 15, by averaging the 15th and preceding four days of flows, i.e., September 11-15, to establish the base flow each year. The base flow calculation will be "net" of Chesterfield Reservoir storage as further described in 3(g) below. The base flow will be reduced by the historic depletion in flow at the Topaz Gauge station, 17.4 cfs, during the late

irrigation season from September 20 through October 31. Each year this 17.4 cfs depletion amount will be subtracted from the average 9/11-9/15 base flow at Topaz Gauge to establish the minimum flow at Topaz to be used for purposes of administration by the Watermaster during the late season of use, provided that regulation shall be conducted on a five-year running average as described below.

The five-year running average regulation will be conducted as follows:

(a) On September 15, determine the average of Topaz Gauge flows from September 11 through September 15. If flows at Topaz Gauge are affected by local rainfall or Lava hydro plant impact events during this period, the Watermaster should remove such effects from the calculations in consultation with IDWR.

(b) Allow the late-season irrigation flows to equilibrate from September 16 through September 19.

(c) If on September 20 the drop in flow at the Topaz Gauge (as compared with the September 11-15 average) exceeds 17.4 cfs, then compute the average drops for the four previous years using the same method outlined above.

(d) If the average drop on this date for the previous four years equals or exceeds 17.4 cfs, then regulate irrigation diversions of upstream signatories, to reduce the flow reduction to not exceed 17.4 cfs at the Topaz Gauge.

(e) If the average drop on this date for the previous four years is less than 17.4 cfs, the Upper Division rightholders may divert water in accordance with their respective decreed rights.

(f) Repeat steps (c) and (d) for each day until late season irrigation is discontinued, no later than October 31.

(g) The minimum flow calculation will be "net" of Chesterfield Reservoir storage. Stated another way, the releases of storage water from Chesterfield Reservoir will be subtracted from the flows at the Topaz Gauge, including consideration of time of travel and assuming negligible shrink.

4. Allocation Within Each Division.

Water available during the normal irrigation season from April 15 through September 15 shall be allocated and delivered to the parties in accordance with their water rights as partially decreed.

Water available in the Upper Division during the extended irrigation season will be allocated to those Parties holding extended season irrigation rights in the Upper Division in the manner in which they agree. Water available in the Lower Division for allocation during the extended irrigation season will be allocated among the Parties holding extended season irrigation rights in the Lower Division in the manner in which they agree. During the extended season, no water right holder in the Portneuf River and tributaries above Topaz can make a call on any water right holder in the Portneuf River and tributaries below the Topaz Gauge; and, no water right holder in the Portneuf River and tributaries below the Topaz Gauge can make a call on any water right holder in the Portneuf River and tributaries above the Topaz Gauge. This allocation agreement shall apply only to the parties to this Agreement with regard to the water rights covered by this Agreement.

5. East and West Bob Tributaries.

Those Parties with water rights in East Bob Creek and West Bob Creek which are tributary to the Portneuf River immediately below the Topaz Gauge will have their late irrigation season water rights administered and delivered as if they were in the Upper Division. Accordingly, these Parties' late season rights may be subject to curtailment at the same times and in the same percentages as water right holders in the Upper Division may be curtailed during the extended irrigation season, subject to the following limitations:

5.1 If the amount of water contributed to the Portneuf River by West Bob Creek after curtailment is less than 0.50 cfs, measured above the springs located in NENE Section 22, T09S R37EB.M., it shall be deemed a futile call and not subject to any curtailment.

5.2 Water right no. 29-11681 diverted from East Bob Smith Creek shall be allowed to divert 2 cfs or its pro-rated share of irrigation water rights diverted in the lower reach, whichever is greater.

6. Diversion Structure Modification.

Water right holders in the Upper Division may repair, maintain or replace diversion structures as needed; provided, however, that no modification or replacement may occur which increases the diversion capacity beyond the presently existing capacity of such structure.

7. Withdrawal of Objections.

All objections of all parties to all water right claims in Basin 29, including in-season and extended-season claims and objections, are withdrawn.

8. Partial Decrees.

All of the Parties' water rights, including extended season water rights, shall be partially decreed by the Court as reflected in the attached water right descriptions which are attached hereto and incorporated by this reference.

9. Capacity to Execute Agreement.

The Parties warrant and represent that the person executing this Agreement is empowered to do so on behalf of each company or entity and thereby binds such entity by signing this Agreement.

10. Waivers.

The failure to object to any breach of any term or condition in this Agreement shall not constitute a waiver and no failure to object shall be deemed a waiver of any prior to subsequent breach.

11. Entirety of Agreement.

This Agreement represents the entire and integrated agreement between the Parties and supersedes all prior negotiations, representations and oral agreements. No promise or inducement has been offered or made except as herein set forth, and this Agreement is executed without reliance on any statement or representation by any other Party or their agent.

12. Modification.

This Agreement may amended or modified only by a written agreement signed by each of the Parties to this Agreement.

13. Execution of Agreement in Parts.

Due to time constraints and practicalities, the Parties acknowledge it is not possible to have all parties sign the same copy of this Agreement at the same time. Therefore, the Parties agree that this Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

14. Signatures.

In witness whereof, the Parties to this Agreement through their duly-authorized representatives have executed this Agreement and certify that they have read, understood and agree to the terms and conditions of this Agreement as set forth herein.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written.

PORTNEUF-MARSH VALLEY CANAL CO.

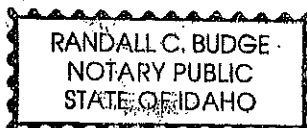
STATE OF IDAHO)
) ss.
County of Bannock)

On this 21st day of April, in the year of 2005, before me Randall C. Budge, personally appeared Ellis Gilbert known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 21st day of April, 2005.



SUBSCRIBED AND SWORN before me this 21 day of April, 2005.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID.
My commission expires: 10/11/2006

McCAMMON DITCH COMPANY

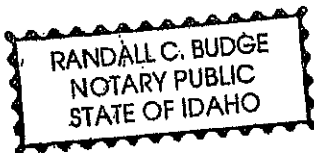
STATE OF IDAHO)
) ss.
County of Bannock)

On this 21st day of April, in the year of 2005, before me Randall C. Budge, personally appeared Byron K. Allen known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 21st day of April, 2005.

Byron K. Allen

SUBSCRIBED AND SWORN before me this 21st day of April, 2005.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID.
My commission expires: 10/11/2006

PORTNEUF IRRIGATING COMPANY

STATE OF IDAHO)
) ss.
County of Bannock)

On this 21st day of April, in the year of 2005, before me Randall C. Budge, personally appeared Christopher F. Robinson known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 21st day of April, 2005.

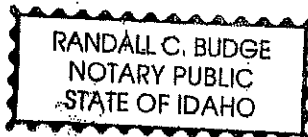
PORTNEUF IRRIGATING COMPANY
By: Christopher F. Robinson, President

SUBSCRIBED AND SWORN before me this 21 day of April, 2005.

Attest:

Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID
My commission expires: 10/11/2006

James L. Lumsden
Secretary



MARSH VALLEY DEVELOPMENT COMPANY

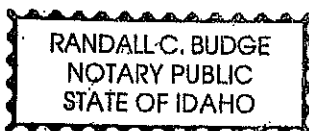
STATE OF IDAHO)
County of Bannock) ss.

On this 21st day of April, in the year of 2005, before me
Randall C. Budge, personally appeared, Ted S. Sorenson known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 21 day of April, 2005.

Ted S. Sorenson

SUBSCRIBED AND SWORN before me this 21st day of April, 2005.



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, Id.
My commission expires: 10/11/2006

LAVA IRRIGATION COMPANY

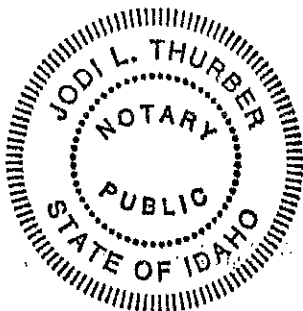
STATE OF IDAHO)
) ss.
County of Madison)

On this 12th day of April, in the year of 2005, before me Jodi L. Thurber, personally appeared Kirk Irick known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 12th day of April, 2005.

Kirk Irick
Kirk Irick

SUBSCRIBED AND SWORN before me this 12th day of April, 2005.



Jodi L. THURBER
NOTARY PUBLIC FOR IDAHO
Residing at: Rexburg, Idaho
My commission expires: 6-26-06

DEMPSEY IRRIGATING COMPANY

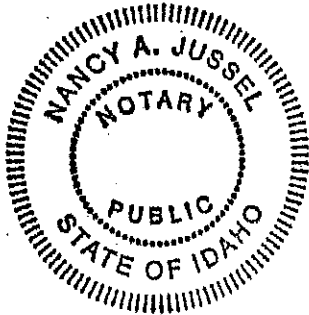
STATE OF IDAHO)
) ss.
County of Bannock)

On this 28th day of March, in the year of 2005, before me Nancy Jussel, personally appeared Dan Dimick known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 28 day of March 2005.

Dan N. Dimick Pres.

SUBSCRIBED AND SWORN before me this 28th day of March, 2005.



Nancy Jussel
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 2/23/11

TOPAZ IRRIGATION COMPANY

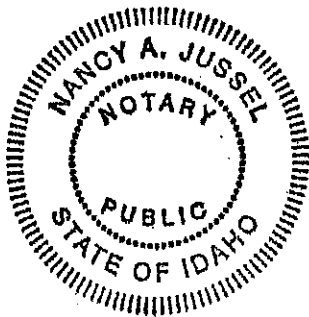
STATE OF IDAHO)
) ss.
County of Bannock)

On this 29th day of March, in the year of 2005, before me Nancy Juscel, personally appeared Gene Fagnant known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 29 day of March, 2005.

Gene Fagnant

SUBSCRIBED AND SWORN before me this 29th day of March, 2005.



Nancy Juscel
NOTARY PUBLIC FOR IDAHO
Residing at: Portville
My commission expires: 2/23/11

INDIAN FALLS PROPERTY ASSOCIATION/
INDIAN FALLS WATER USERS ASSOCIATION

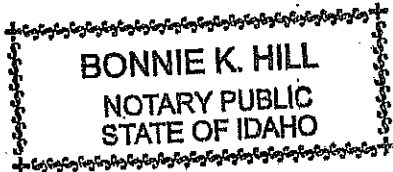
STATE OF IDAHO)
) ss.
County of Bannock)

On this 23 day of March, in the year of 2005, before me
~~SS~~ Bonnie K. Hill, personally appeared Earl C. Mapes known
or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the
corporation that executed the instrument or the person who executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation executed the same.

DATED this 23 day of March, 2005.

Earl C. Mapes

SUBSCRIBED AND SWORN before me this 23 day of March, 2005.



Bonnie K. Hill
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 2-2-07

FISH CREEK IRRIGATING COMPANY

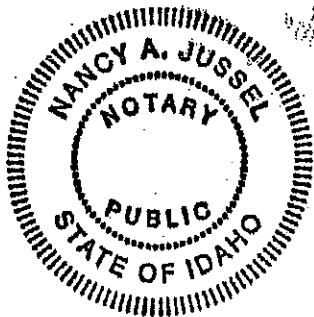
STATE OF IDAHO)
) ss.
County of Bannock)

On this 28th day of March, in the year of 2005, before me Nancy Juscel, personally appeared Wallace K. Whitehead known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

DATED this 28 day of March, 2005.

Wallace K. Whitehead

SUBSCRIBED AND SWORN before me this 28 day of March, 2005.



Nancy Juscel
NOTARY PUBLIC FOR IDAHO
Residing at: Poratillo
My commission expires: 2/23/11

INDIVIDUAL SIGNATORY PARTIES

I. GLENN PERKINS
MARY D. PERKINS

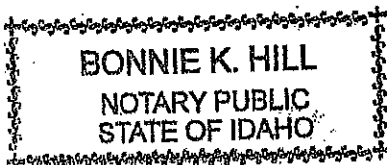
STATE OF IDAHO)
) ss.
County of Bannock)

On this 7th day of April, in the year of 2005, before me
Bonnie K. Hill, personally appeared, Glenn Perkins known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 7 day of April, 2005.

Glenn Perkins

SUBSCRIBED AND SWORN before me this 7 day of April, 2005.



Bonnie K. Hill
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 2-2-07

BARBARA W. KEVAN

STATE OF IDAHO

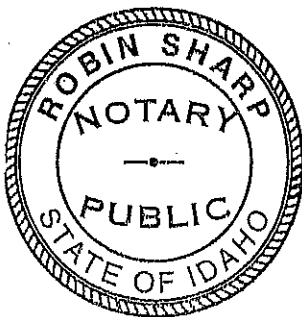
County of Twin Falls)
) ss.

On this 28 day of March, in the year of 2005, before me
Robin Sharp, personally appeared, Barbara W Kevan known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 28 day of March, 2005.

Barbara W. Kevan

SUBSCRIBED AND SWORN before me this 28 day of March, 2005.



Robin Sharp
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls Idaho
My commission expires: 8/14/08

LYNDEN SYMONS
CANDICE SYMONS

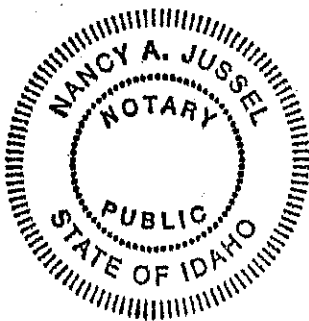
STATE OF IDAHO)
) ss.
County of Bannock)

On this 31st day of March, in the year of 2005, before me
Nancy Jusse, personally appeared, Lynden Symons known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 31 day of March, 2005.

Lynden Symons

SUBSCRIBED AND SWORN before me this 31st day of March, 2005.



Nancy Jusse
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 2/23/11

DAVID LEE LOSEE

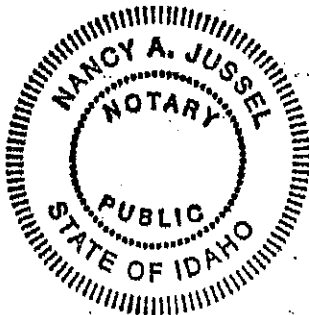
STATE OF IDAHO)
) ss.
County of Bannock)

On this 25th day of March, in the year of 2005, before me
Nancy Juscel, personally appeared, David Losee known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 25th day of March, 2005.

David Losee

SUBSCRIBED AND SWORN before me this 25th day of March, 2005.



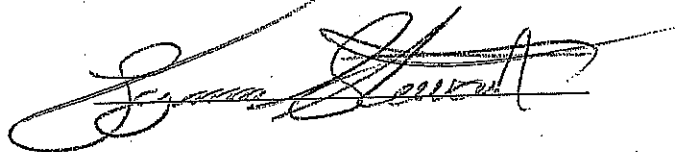
Nancy Juscel
NOTARY PUBLIC FOR IDAHO
Residing at: Portello
My commission expires: 2/23/11

LYNN W. STEWART
MARGIE H. STEWART

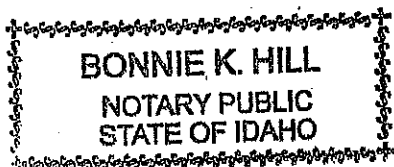
STATE OF IDAHO)
) ss.
County of Bannock)

On this 8th day of April, in the year of 2005, before me
Bonnie Hill, personally appeared, Lynn Stewart known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 8 day of April, 2005.



SUBSCRIBED AND SWORN before me this 8 day of April, 2005.



Bonnie K. Hill
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 2-2-07

FAGNANT & OLSON RANCH, LLC

STATE OF IDAHO)

County of Bannock)

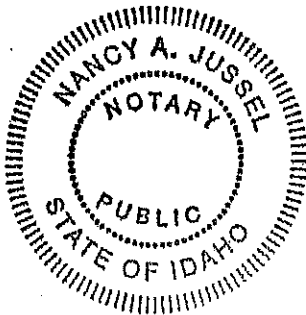
ss.

On this 29th day of March, in the year of 2005, before me Nancy Jusiel, personally appeared, Gene Fagnant known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he / she executed the same.

DATED this 29 day of March, 2005.

Gene Fagnant

SUBSCRIBED AND SWORN before me this 29th day of March, 2005.



Nancy Jusiel
NOTARY PUBLIC FOR IDAHO

Residing at: Pocatello

My commission expires: 2/23/11

CARL L. PHILLIPS
NOLA RAE PHILLIPS

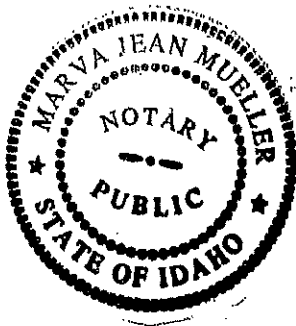
STATE OF IDAHO)
) ss.
County of Bingham)

On this 12 day of April, in the year of 2005, before me
Marva Jean Carl L. Phillips, personally appeared, Carl L. Phillips known
Mueller or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 12 day of April, 2005.

Carl L. Phillips

SUBSCRIBED AND SWORN before me this 12 day of April, 2005.



Marva Jean Mueller
NOTARY PUBLIC FOR IDAHO
Residing at: American Fork
My commission expires: 3-8-2011

JIM ANDRUS, KENNETH D. ANDRUS, COLLEEN L. ANDRUS

STATE OF IDAHO)

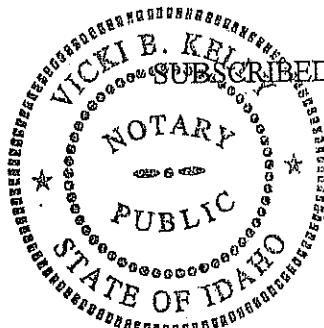
County of Ada)

) ss.

On this 5th day of April, in the year of 2005, before me
Vicki B. Kelly, personally appeared, Kenneth Andrus known or
identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to
me that he / she executed the same.

DATED this 5 day of Apr., 2005.

Kenneth Andrus



SUBSCRIBED AND SWORN before me this 5th day of April, 2005.

Vicki B. Kelly
NOTARY PUBLIC FOR IDAHO

Residing at:

My commission expires:

STATE OF IDAHO)

County of _____)

) ss.

On this ____ day of _____, in the year of 2005, before me
_____, personally appeared, _____ known or
identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to
me that he / she executed the same.

DATED this ____ day of _____, 2005.

SUBSCRIBED AND SWORN before me this ____ day of _____, 2005.

NOTARY PUBLIC FOR IDAHO

Residing at:

My commission expires:

RONNIE D. TILLOTSON
SHERRILL TILLOTSON

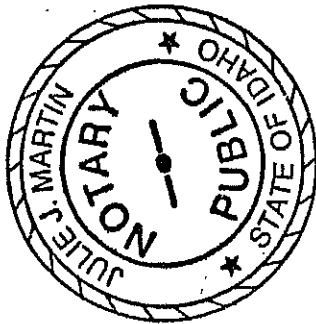
STATE OF IDAHO)
) ss.
County of Bannock)

On this 11th day of April, in the year of 2005, before me
Julie Martin, personally appeared, Ronnie Tillotson known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 11 day of April, 2005.

Ronnie D Tillotson

SUBSCRIBED AND SWORN before me this 11th day of April, 2005.



Julie J. Martin
NOTARY PUBLIC FOR IDAHO
Residing at: Blackfoot
My commission expires: 11-01-06

AMBER HALL

JASON HALL

Amber Hall
Jason W. Hall

STATE OF IDAHO)

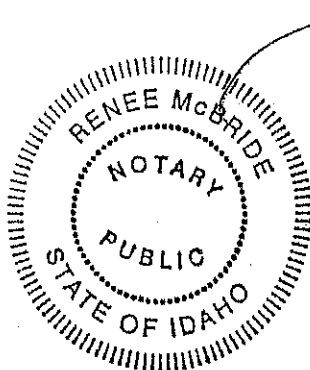
) ss.

County of Bannock)

On this 13 day of APRIL, in the year of 2005, before me
Renee McBride, personally appeared, Jason Hall, Amber Hall known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 13 day of April, 2005.

SUBSCRIBED AND SWORN before me this 13 day of April, 2005.



NOTARY PUBLIC FOR IDAHO

Residing at: *haver Hat Spring*

My commission expires: *May 31, 2006*

RUSSELL GUNTER
NATALIE GUNTER

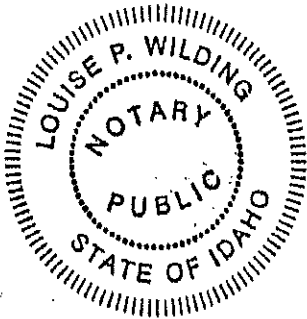
STATE OF IDAHO)
County of Bannock) ss.

On this 14th day of April, in the year of 2005, before me
Louise P. Wilding, personally appeared, Natalie & Russell Gunter known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 14th day of April, 2005.

Natalie H. Gunter Russell V. Gunter

SUBSCRIBED AND SWORN before me this 14th day of April, 2005.



Louise P. Wilding
NOTARY PUBLIC FOR IDAHO
Residing at: Bannock County
My commission expires:
1-16-08

ROBERT E. RUSH
EVELEE HILL RUSH

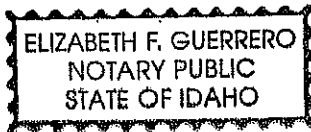
STATE OF IDAHO)
) ss.
County of Bannock)

On this 21st day of April, in the year of 2005, before me
Elizabeth Guerrero, personally appeared, Evelee Rush known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 21 day of April, 2005.

Evelee Hill Rush

SUBSCRIBED AND SWORN before me this 21 day of April, 2005.



Elizabeth F. Guerrero
NOTARY PUBLIC FOR IDAHO
Residing at: Paratello, Id
My commission expires: 8/29/09

MAX W. HALL.

STATE OF IDAHO)

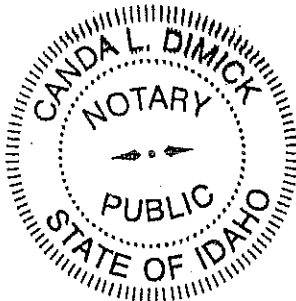
) ss.

County of Banock)

On this 13th day of April, in the year of 2005, before me
Canda L Dimick, personally appeared, Max W. Hall known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 13th day of April, 2005.Max W. HallSUBSCRIBED AND SWORN before me this 13th day of April, 2005.Canda L Dimick

NOTARY PUBLIC FOR IDAHO

Residing at: Clara Hot SpringsMy commission expires: 5/07/2009

JEFFREY F. HARRIS

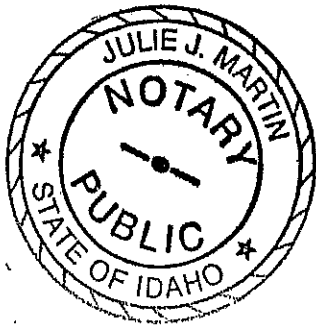
STATE OF IDAHO)
) ss.
County of Bannock)

On this 4th day of April, in the year of 2005, before me
Julie Martin, personally appeared, Jeffrey F. Harris known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 4 day of April, 2005.

Jeffrey F. Harris

SUBSCRIBED AND SWORN before me this 4th day of April, 2005.



Julie J. Martin
NOTARY PUBLIC FOR IDAHO
Residing at: Blackfoot, Idaho
My commission expires: 11-01-06

LARRY NAEF
LANA NAEF

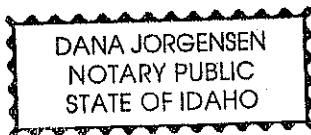
STATE OF IDAHO)
) ss.
County of Bannock)

On this 23rd day of March, in the year of 2005, before me
Dana Jorgensen, personally appeared, Lana Naef known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this 23 day of March, 2005.

Lana Naef

SUBSCRIBED AND SWORN before me this 23 day of March, 2005.



Dana Jorgensen
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 6/2/2010

ROBEN HULL

STATE OF IDAHO)

) ss. SL

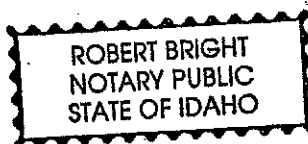
County of Bannock)

On this 21 day of April, in the year of 2005, before me, Roben Hull, personally appeared, Roben Hull known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he / she executed the same.

DATED this 21 day of April, 2005.

Roben Hull

SUBSCRIBED AND SWORN before me this 21 day of April, 2005.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: PRFCU, Bannock County, Idaho
My commission expires: 08-27-2009

BRETT CASPERSON and NATHAN CASPERSON

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of _____, in the year of 2005, before me
_____, personally appeared, _____ known or
identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to
me that he / she executed the same.

DATED this ____ day of _____, 2005.

SUBSCRIBED AND SWORN before me this ____ day of _____, 2005.

NOTARY PUBLIC FOR IDAHO
Residing at:
My commission expires:

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of _____, in the year of 2005, before me
_____, personally appeared, _____ known or
identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to
me that he / she executed the same.

DATED this ____ day of _____, 2005.

SUBSCRIBED AND SWORN before me this ____ day of _____, 2005.

NOTARY PUBLIC FOR IDAHO
Residing at:
My commission expires:

CARROLL & IONE WILLMORE ESTATE

STATE OF IDAHO)
) ss.
County of _____)

On this ____ day of _____, in the year of 2005, before me
_____, personally appeared, _____ known
or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he / she executed the same.

DATED this ____ day of _____, 2005.

SUBSCRIBED AND SWORN before me this ____ day of _____, 2005.

NOTARY PUBLIC FOR IDAHO

Residing at:

My commission expires:

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-52

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 176.850 CFS
USE OF THIS RIGHT WITH RIGHT NO. 29-13318 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE: 12/18/1907

POINT OF
DIVERSION: T09S R37E S22 SWSNW Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/15 09/15 | 176.850 CFS |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: 5103.2 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE PORTNEUF MARSH VALLEY CANAL
CO. LTD.

THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS
DESCRIBED WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND
AUTHORIZED PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE
DIGITAL BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A
CD-ROM DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT
AND THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE
OF USE IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE
DIGITAL BOUNDARY.

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT
CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF
DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC. 22
NWNESW (LOT 3) FOR THE PORTNEUF MARSH VALLEY CANAL
COMPANY'S CANAL THROUGH SAID COMPANY'S DRAINAGE CANAL
AND THE PORTNEUF RIVER CHANNEL.~~

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR
THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER
RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO

LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13363
NAME AND ADDRESS: INDIAN FALLS PROPERTY ASSN
C/O EARL MAPES
1061 SAGEWOOD PL
POCATELLO ID 83201
INDIAN FALLS WATER USERS ASSOC
PHIL HUDGENS PRES
PO BOX 134
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.880 CFS
THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-00046, 29-12078,
29-12079, AND 29-13363 SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R38E S4 SWSESW Lot 4 Within BANNOCK County
T09S R38E S4 SESESW Lot 6 Within BANNOCK County
T09S R38E S4 SESESW Lot 10 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 2.880 CFS |

PLACE OF USE:

| <u>IRRIGATION Within BANNOCK County</u> | | | | | |
|---|------|------|----------------------|------|------|
| T09S R38E S04 Lot 5 | NESW | 35.0 | T09S R38E S04 Lot 10 | SESW | 28.0 |
| T09S R38E S04 | NWSE | 1.0 | T09S R38E S04 | SWSE | 7.6 |
| T09S R38E S09 | NENE | 0.1 | T09S R38E S09 Lot 1 | NWNE | 25.0 |
| T09S R38E S09 Lot 4 | NWNE | 11.0 | T09S R38E S09 Lot 5 | SWNE | 5.3 |
| T09S R38E S09 | NENW | 28.0 | T09S R38E S09 | SENW | 3.0 |

144 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 144.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00046, 29-12078, 29-12079, AND 29-13363.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 29-00046, 29-12078, 29-12079, 29-13363.

PROPERTY IS ALSO KNOWN AS INDIAN FALLS PROPERTY OWNERS ASSOCIATION.

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13311

NAME AND ADDRESS: MC CAMMON DITCH CO LTD
10192 S HALL RD
MC CAMMON ID 83250

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 50.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 68.95 CFS. COMBINED RIGHT NOS.: 29-57, 29-58,
29-13311 AND 29-13317

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S21 SENE Lot 1 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER | 04/01 12/31 | 10.000 CFS |
| IRRIGATION | 04/01 10/31 | 50.000 CFS |

PLACE OF USE:

2794.5 ACRES TOTAL

Place of use is within the area served by the McCammon Ditch Company LTD. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2794.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-57, 29-58, 29-13311, 29-13317.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree.
Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-57,, 29-58, 29-13311, 29-13317.

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13317

NAME AND ADDRESS:

MC CAMMON DITCH CO LTD
10192 S HALL RD
MC CAMMON ID 83250

SOURCE:

Source:
PORTNEUF RIVER

Tributary:
SNAKE RIVER

QUANTITY:

18.950 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 68.95 CFS. COMBINED RIGHT NOS.: 29-57, 29-58, 29-13311
AND 29-13317

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S21 SENE Lot 1
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

18.950 CFS

PLACE OF USE:

2794.5 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE MCCAMMON DITCH COMPANY LTD.
THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS DESCRIBED
WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND AUTHORIZED
PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE DIGITAL
BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A CD-ROM
DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT AND
THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE OF USE
IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE DIGITAL
BOUNDARY.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2794.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-57, 29-58, 29-13311, AND 29-13317.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the
water rights as may be ultimately determined by the Court at a point in time
no later than the entry of a final unified decree. Section 42-1412(6),
Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-57, 29-58, 29-13311, 29-13317.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11277

NAME AND ADDRESS: PORTNEUF IRRIGATING CO
PO BOX 194
ARIMO ID 83214

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 55.000 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-51 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 55 CFS.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S22 SENW Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 55.000 CFS |
| STOCKWATER | 04/01 12/31 | 10.000 CFS |

PLACE OF USE:

3117.6 ACRES TOTAL

Place of use is within the area served by the Portneuf Irrigation Co.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

USE OF THIS RIGHT WITH RIGHT NO. 29-51 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 3117.6 ACRES IN A SINGLE IRRIGATION
SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH MAIN HEADING OFF PORTNEUF RIVER
AND REDIVERTED FROM THE CANAL SYSTEM AT SWNWNE SECTION 30
T.9S R37E.

RIGHT NO. 29-00051 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

SWSENW (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL
COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL
AND THE PORTNUEF RIVER.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4060

NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER
 TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM
PORTNEUF RIVER.

QUANTITY: 7,285.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.:
29-53, 29-589, 29-4060, 29-13319.

PRIORITY DATE: 04/01/1949

POINT OF
DIVERSION: T06S R38E S33 SWSSE Within CARIBOU County
T06S R39E S19 SWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 SWSNW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION FROM STORAGE | 04/01 09/15 | 7,285.00 AFY |
| IRRIGATION STORAGE | 01/01 12/31 | 7,285.00 AFY |

PLACE OF USE:

5103.2 ACRES TOTAL

Place of use is within the area served by the Portneuf Marsh Valley Canal Co. LTD.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT
CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF
DIVERSION LOCATED ON THE PORTNEUF RIVER AT T9S R37E SEC 22
SWSENE (LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL
COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL
AND THE PORTNEUF RIVER.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-589
NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: PORTNEUF RIVER
POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM
PORTNEUF RIVER.

TRIBUTARY: SNAKE RIVER

QUANTITY: 16,410.00 AFY
THIS RIGHT WHEN COMBINED WITH 29-53 IS LIMITED TO A COMBINED
TOTAL OF 16410 AFA.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.:
29-53, 29-589, AND 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF
DIVERSION: T06S R39E S19 SWSW Lot 4 Within CARIBOU County
T06S R39E S19 SWSWSW Lot 4 Injection Within CARIBOU County
T09S R37E S22 SWSNW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION STORAGE | 01/01 12/31 | 16,410.00 AFY |
| IRRIGATION FROM STORAGE | 04/15 09/15 | 16,410.00 AFY |

PLACE OF USE:

5103.2 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE PORTNEUF MARSH VALLEY CANAL
CO. LTD.

THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS
DESCRIBED WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND
AUTHORIZED PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE
DIGITAL BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A
CD-ROM DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT
AND THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE
OF USE IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE
DIGITAL BOUNDARY.

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589,
29-4060, 29-13318, 29-13319.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

COMPANYS CANAL THROUGH SAID COMPANYS DRAINAGE CANAL
AND THE PORTNEUF RIVER.

SUITABLE MEASURING DEVICES SHALL BE INSTALLED ON THE
PORTNEUF RIVER ABOVE THE FLOW LINE OF THE PORTNEUF-MARSH
VALLEY IRRIGATING COMPANY RESERVOIR AT WHICH POINT THE
WATER COMES INTO THE RESERVOIR AT T6S R38E S11 NWSESW AND
IMMEDIATELY BELOW THE DAM OF SAID RESERVOIR AT T6S R39E S19
SWSWSW SO THAT THE WATER RELEASED MAY BE MORE
ACCURATELY DETERMINED. THE NORMAL FLOW OF THE PORTNEUF
RIVER MAY NOT BE OBSTRUCTED BY THE RESERVOIR WITH
REFERENCE TO THE AMOUNT OF WATER DELIVERED THROUGH THE
RESERVOIR DURING THE IRRIGATING SEASON. NO CHARGE SHALL BE
MADE AGAINST THE NORMAL STREAM FLOW FROM THE POINT ABOVE
THE RESERVOIR LOCATED AT T 6S R38E S11 NWSESW AND THE
POINT BELOW THE RESERVOIR LOCATED AT T6S R39E S19 SWSWSW.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-53
NAME AND ADDRESS: PORTNEUF MARSH VALLEY CANAL CO LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE: TOPONCE CREEK
POINT OF INJECTION INTO PORTNEUF RIVER. POINT OF REDIVERSION FROM PORTNEUF RIVER.

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 164.430 CFS
16,410.00 AFY
THIS RIGHT WHEN COMBINED WITH 29-589 IS LIMITED TO A COMBINED TOTAL OF 16410 AFA.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 23695 AF. COMBINED RIGHT NOS.: 29-53, 29-589, 29-4060, 29-13319.

PRIORITY DATE: 07/06/1912

POINT OF DIVERSION: T06S R38E S33 SWSSE Within CARIBOU County
T06S R39E S19 SWSWSW Injection Within CARIBOU County
T09S R37E S22 SWSNW Lot 3 Rediversion Within BANNOCK County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| DIVERSION TO STORAGE | 09/16 04/14 | 164.430 CFS |
| IRRIGATION STORAGE | 01/01 12/31 | 16,410.00 AFY |
| IRRIGATION FROM STORAGE | 04/15 09/15 | 16,410.00 AFY |

PLACE OF USE:

5103.2 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE PORTNEUF MARSH VALLEY CANAL CO. LTD.

THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS DESCRIBED WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND AUTHORIZED PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE DIGITAL BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A CD-ROM DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT AND THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE OF USE IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE DIGITAL BOUNDARY.

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13318

NAME AND ADDRESS:

PORTNEUF MARSH VALLEY CANAL CO
LTD
C/O ELLIS GILBERT
2777 E HAWKINS RD
DOWNEY ID 83234

SOURCE:

Source:
PORTNEUF RIVER

Tributary:

SNAKE RIVER

QUANTITY:

176.850 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-52 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 176.85 CFS.

PRIORITY DATE:

08/07/1932

POINT OF DIVERSION:

T09S R37E S22 SWSNW Lot 3
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

176.850 CFS

PLACE OF USE:

5103.2 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE PORTNEUF MARSH VALLEY CANAL CO. LTD. THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS DESCRIBED WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND AUTHORIZED PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE DIGITAL BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A CD-ROM DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT AND THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE OF USE IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE DIGITAL BOUNDARY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5103.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-52, 29-53, 29-589, 29-4060, 29-13318, 29-13319.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

| <u>W.R. NUMBER</u> | <u>NAME AND ADDRESS</u> | <u>CLAIM DISPOSITION</u> |
|--------------------|--|--------------------------|
| 29-13319 | PORTNEUF MARSH VALLEY CANAL CO LTD C/O ELLIS GILBERT 2777 E HAWKINS RD DOWNEY ID 83234 | DISALLOWED |

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4467
NAME AND ADDRESS: LAVA IRRIGATION CO INC
PO BOX 182
LAVA HOT SPRINGS ID 83246
SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 20.500 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 22.76 CFS. COMBINED RIGHT NOS.:
29-47A, 29-48, 29-4467, 29-10816.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R38E S9 NWNESE Lot 6 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 20.500 CFS |
| STOCKWATER | 01/01 12/31 | 0.120 CFS |

PLACE OF USE: 614.8 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE LAVA IRRIGATION COMPANY INC..

THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS DESCRIBED WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND AUTHORIZED PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE DIGITAL BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A CD-ROM DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT AND THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE OF USE IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE DIGITAL BOUNDARY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 614.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-47A, 29-48, 29-4467, 29-10816.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 29.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-47A, 29-48, 29-4467, 29-10816.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-10816
NAME AND ADDRESS: LAVA IRRIGATION CO INC
PO BOX 182
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.260 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 22.76 CFS. COMBINED RIGHT NOS.:
29-47A, 29-48, 29-4467, 29-10816.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R38E S9 NWNESE Lot 6 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 2.260 CFS |
| STOCKWATER | 01/01 12/31 | 0.120 CFS |

PLACE OF USE:

614.8 ACRES TOTAL

Place of use is within the area served by the Lava Irrigation Company Inc.

USE OF THIS RIGHT WITH RIGHT NO. 29-47A IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 113 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 614.8 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-47A, 29-48, 29-4467,
29-10816.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT #29.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH LAVA IRRIGATION CO. CANAL.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-47A, 29-48, 29-4467, 29-10816.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH LAVA IRRIGATION CO. CANAL.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-47A, 29-48, 29-4467, 29-10816.

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11773

NAME AND ADDRESS:

DEMPSEY IRRIGATING CO
C/O EARL SMITH
PO BOX 235
LAVA HOT SPRINGS ID 83246

TOPAZ IRRIGATION CO
C/O GENE FAGNANT
PO BOX 293
LAVA HOT SPRINGS ID 83246

SOURCE:

Source:
PORTNEUF RIVER

Tributary:
SNAKE RIVER

QUANTITY:

32.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 39.5 CFS. COMBINED RIGHT NOS.: 29-36, 29-37 AND
29-11773.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T08S R38E S28 SWNESW
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| Purpose of use | Period of use: | Quantity: |
|----------------|----------------|------------|
| IRRIGATION | 09/16 10/31 | 32.000 CFS |

PLACE OF USE:

1429.8 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE DEMPSEY IRRIGATING COMPANY.
THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS DESCRIBED
WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND AUTHORIZED
PURSUANT TO I.C. SECTION 42-1411(2)(H). THE DATA COMPRISING THE DIGITAL
BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A CD-ROM DISK
ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT AND THE
IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE OF USE IS
ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE DIGITAL
BOUNDARY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1429.8 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-36, 29-37, 29-180, 29-11773.

THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

TOPAZ IRRIGATION CO. OWNS 51% OF DEMPSEY-TOPAZ CANAL SYSTEM. FISH
CREEK IRRIGATING CO. IS ALSO CARRIED IN THIS SAME CANAL SYSTEM FROM
FISH CK POINT OF DIVERSION TO NESENW SEC.28 T9S R38E WHERE IT IS
SPLIT OFF THE CANAL SYSTEM AND BECOMES ITS OWN ENTITY.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11774
NAME AND ADDRESS: FISH CREEK IRRIGATING CO
C/O WALLACE WHITEHEAD
PO BOX 152
LAVA HOT SPRINGS ID 83246
SOURCE: FISH CREEK . TRIBUTARY: PORTNEUF RIVER
QUANTITY: 6.000 CFS
PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R38E S26 NWNWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 4.900 CFS |

PLACE OF USE: 243.3 ACRES TOTAL

PLACE OF USE IS WITHIN THE AREA SERVED BY THE FISH CREEK IRRIGATING COMPANY.

THE BOUNDARY ENCOMPASSING THE PLACE OF USE FOR THIS WATER RIGHT IS DESCRIBED WITH A DIGITAL BOUNDARY AS DEFINED BY I.C. SECTION 42-202B(2) AND AUTHORIZED PURSUANT TO I.C. SECTION 42-1411(2) (H). THE DATA COMPRISING THE DIGITAL BOUNDARY ARE INCORPORATED HEREIN BY REFERENCE AND ARE STORED ON A CD-ROM DISK ISSUED IN DUPLICATE ORIGINALS ON FILE WITH THE SRBA DISTRICT COURT AND THE IDAHO DEPARTMENT OF WATER RESOURCES. A MAP DEPICTING THE PLACE OF USE IS ATTACHED HERETO TO ILLUSTRATE THE PLACE OF USE DESCRIBED BY THE DIGITAL BOUNDARY.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. . SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH FISH CREEK IRRIGATING CO CANAL.
SHARED WITH DEMPSEY-TOPAZ CANAL AND SOME PRIVATE RIGHTS.

RIGHT NO. 29-00147 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4364

NAME AND ADDRESS: I GLENN PERKINS
PO BOX 683
POCATELLO ID 83204

MARY D PERKINS
PO BOX 683
POCATELLO ID 83204

SOURCE: WEST CREEK

TRIBUTARY: DEMPSEY CREEK

QUANTITY: 0.260 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-10830 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.46 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-10830 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T10S R38E S5 SWSWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER | 04/01 10/31 | 0.040 CFS |
| IRRIGATION | 04/01 10/31 | 0.260 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | | |
|---------------|------|-----|---------------|------|------|
| T10S R38E S04 | NWSW | 1.0 | T10S R38E S05 | NESE | 11.0 |
| T10S R38E S05 | NWSE | 4.0 | T10S R38E S05 | SWSE | 7.0 |

STOCKWATER Within BANNOCK County

T10S R38E S04 NWSW

40 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-10830 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 23 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 13 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13213
NAME AND ADDRESS: BARBARA W KEVAN
3462 N 2500 E
TWIN FALLS ID 83301

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.045 CFS
USE OF THIS RIGHT WITH RIGHT NO. 29-00035 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.10 CFS.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T08S R38E S28 SWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/15 10/31 | 0.045 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | |
|---------------------|------|-----|--------------------------|-----|
| T09S R38E S04 | SWNE | 2.9 | T09S R38E S04 Lot 4 SWNE | 3.7 |
| T09S R38E S04 Lot 5 | NENW | 1.1 | | |

7.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00035 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 7.7 ACRES IN A SINGLE
IRRIGATION SEASON.

This right is limited to the irrigation of 2.4 acres within the place of use
described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH DEMPSEY-TOPAZ CANAL SYSTEM.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13279

NAME AND ADDRESS: CANDICE SYMONS
PO BOX 604
LAVA HOT SPRINGS ID 83246

LYNDEN SYMONS
PO BOX 604
LAVA HOT SPRINGS ID 83246

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.300 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00032 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.30 CFS.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T08S R38E S28 SWNESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.300 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T09S R38E S04 Lot 3 NENW 18.7

18.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-00032 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 18.7 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH DEMPSEY-TOPAZ CANAL.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13289

NAME AND ADDRESS: DAVID LEE LOSEE
PO BOX 27
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-00157A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.06 CFS.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T10S R38E S9 SWNENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.060 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County
T10S R38E S09 NENW 3.0
STOCKWATER Within BANNOCK County
T10S R38E S09 NENW

3 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH RIGHT NO. 29-00157A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.0 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 29-00157A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13299

NAME AND ADDRESS: MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

LYNN W STEWART
8574 S BOB SMITH RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.100 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.095 (0.10) CFS. COMBINED RIGHT
NOS.: 29-207B, 29-214B, 29-215B, 29-10774B, 29-10776B, 29-13299.

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION:

T09S R37E S15 SENENW Within BANNOCK County

T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.100 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R37E S15 NWSE 8.0

STOCKWATER Within BANNOCK County

T09S R37E S15 NWSE

8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-207B, 29-214B, 29-215B, 29-10774B,
29-10776B, 29-13299.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-207A/B, 29-214A/B, 29-215A/B,
29-10774A/B, 29-10776A/B, 29-13299, 29-13300.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13310

NAME AND ADDRESS: FAGNANT & OLSON RANCH LLC
PO BOX 293
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.200 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.52 CFS. COMBINED RIGHT NOS.:
29-183, 29-184, 29-2378, 29-13310.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T10S R38E S4 NESWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
1.200 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T09S R38E S29 | NESW | 11.0 | T09S R38E S29 | SWSW | 1.0 |
| T09S R38E S29 | SESW | 32.0 | T09S R38E S32 | NENW | 20.0 |
| T09S R38E S32 | NWNW | 12.0 | | | |

76 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 76.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-183, 29-184, 29-2378,
29-13310.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

WATER IS DELIVERED THROUGH WEST DEMPSEY DITCH.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13321

NAME AND ADDRESS: CARL L PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.430 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-31 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.43 CFS.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T07S R39E S18 NENESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 3.430 CFS |
| STOCKWATER | 04/01 10/31 | 0.090 CFS |

PLACE OF USE: IRRIGATION Within CARIBOU County

| | | | |
|--------------------------|------|--------------------------|------|
| T07S R38E S24 Lot 1 NENE | 1.6 | T07S R38E S24 Lot 2 SENE | 2.8 |
| T07S R39E S17 NWSW | 38.0 | T07S R39E S17 SWSW | 40.0 |
| T07S R39E S18 NESE | 5.6 | T07S R39E S18 SESE | 4.8 |
| T07S R39E S19 NENE | 16.0 | T07S R39E S19 SWNE | 28.0 |
| T07S R39E S19 SENE | 40.0 | T07S R39E S19 Lot 2 SENW | 4.5 |
| T07S R39E S19 Lot 3 NESW | 13.0 | T07S R39E S19 Lot 4 SESW | 3.3 |
| T07S R39E S19 NESE | 37.0 | T07S R39E S19 NWSE | 21.0 |
| T07S R39E S19 SWSE | 7.2 | T07S R39E S19 SESE | 1.4 |
| T07S R39E S20 NWNW | 40.0 | T07S R39E S20 SWNW | 40.0 |
| T07S R39E S20 NWSW | 38.0 | | |

STOCKWATER same as IRRIGATION

382.2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 29.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

THIS RIGHT AND RIGHT 29-31 IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 29-30, , 29-31 AND 29-13320 IS ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13320

NAME AND ADDRESS: NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210

SOURCE: CARL L PHILLIPS
2884 W 1400 S
ABERDEEN ID 83210
PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.840 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-30 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.84 CFS.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T07S R39E S18 NENESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 3.840 CFS |

PLACE OF USE: IRRIGATION Within CARIBOU County

| | | | |
|--------------------------|------|--------------------------|------|
| T07S R38E S24 Lot 1 NENE | 1.6 | T07S R38E S24 Lot 2 SENE | 2.8 |
| T07S R39E S17 NWSW | 38.0 | T07S R39E S17 SWSW | 40.0 |
| T07S R39E S18 NESE | 5.6 | T07S R39E S18 SESE | 4.8 |
| T07S R39E S19 NENE | 16.0 | T07S R39E S19 SWNE | 28.0 |
| T07S R39E S19 SENE | 40.0 | T07S R39E S19 Lot 2 SENW | 4.5 |
| T07S R39E S19 Lot 3 NESW | 13.0 | T07S R39E S19 Lot 4 SESW | 3.3 |
| T07S R39E S19 NESE | 37.0 | T07S R39E S19 NWSE | 21.0 |
| T07S R39E S19 SWSE | 7.2 | T07S R39E S19 SESE | 1.4 |
| T07S R39E S20 NWNW | 40.0 | T07S R39E S20 SWNW | 40.0 |
| T07S R39E S20 NWSW | 38.0 | | |

382.2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 29.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

This right and right 29-30 is limited to the irrigation of 192 acres within
the place of use described above in a single irrigation season.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 29-31, 29-30 AND 29-13321 IS ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11681

NAME AND ADDRESS: COLLEEN L ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS ID 83246

KENNETH D ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS ID 83246

JIM ANDRUS
6948 E OLD OREGON TL RD
LAVA HOT SPRINGS ID 83246

SOURCE: EAST BOB SMITH CREEK
SPRINGS

TRIBUTARY: PORTNEUF RIVER
TRIBUTARY: EAST BOB SMITH CREEK

QUANTITY: 6.550 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.55 CFS. COMBINED RIGHT NOS.:
29-187, 29-188, 29-191, 29-193, 29-11678, 29-11681.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 29-187, 29-188, 29-191,
29-193, 29-11678, AND 29-11681 SHALL PROVIDE NO MORE THAN .02
CFS PER ACRE.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S12 NESESW Within BANNOCK County
T09S R37E S13 NWSWNW Within BANNOCK County
T09S R37E S13 SESWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 6.550 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | | |
|---------------------|------|------|---------------|------|------|
| T09S R37E S12 | SWSW | 3.2 | T09S R37E S12 | SESW | 5.5 |
| T09S R37E S13 | NWNW | 11.0 | T09S R37E S13 | SWNW | 28.0 |
| T09S R37E S13 | NWSW | 21.0 | T09S R37E S13 | SWSW | 17.0 |
| T09S R37E S14 | NENE | 0.7 | T09S R37E S14 | SENE | 23.0 |
| T09S R37E S14 | NESE | 34.0 | T09S R37E S14 | SESE | 34.0 |
| T09S R37E S23 | NENE | 33.0 | T09S R37E S23 | NWNE | 20.0 |
| T09S R37E S23 Lot 1 | SENE | 22.0 | T09S R37E S23 | NENW | 32.0 |
| T09S R37E S23 | NWNW | 12.0 | T09S R37E S24 | NWNW | 31.0 |

327.4 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 327.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-187, 29-188, 29-191,
29-193, 29-11678, 29-11681.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE SPRINGS: 29-193, 29-11681.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE FOR EAST BOB SMITH CREEK: 29-187,
29-188, 29-191, 29-11678, 29-11681.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13334
NAME AND ADDRESS: RONNIE D TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

SOURCE: EAST CREEK TRIBUTARY: DEMPSEY CREEK

QUANTITY: 2.940 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.94 CFS. COMBINED RIGHT NOS.:
29-167, 29-168, 29-178, 29-179, 29-13333, 29-13334.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T10S R38E S10 NWNWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01- 10/31 | 2.940 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | |
|--------------------------|------|------|--------------------------|------|
| T09S R38E S33 | SWSE | 23.0 | T10S R38E S04 Lot 1 NENE | 15.0 |
| T10S R38E S04 Lot 2 NWNE | | 4.0 | T10S R38E S04 SWNE | 29.0 |
| T10S R38E S04 | SENE | 32.0 | T10S R38E S04 SWNW | 0.9 |
| T10S R38E S04 | SENW | 18.0 | T10S R38E S04 NESW | 28.0 |
| T10S R38E S04 | NWSW | 1.6 | T10S R38E S04 SWSW | 2.8 |
| T10S R38E S04 | SESW | 6.9 | T10S R38E S04 NESE | 2.8 |
| T10S R38E S04 | NWSE | 20.0 | | |

184 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-167, 29-168, 29-178, 29-179, 29-13333,
29-13334.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13535

NAME AND ADDRESS: JASON HALL
1302 AMMON ST
POCATELLO ID 83201

AMBER HALL
1302 AMMON ST
POCATELLO ID 83201

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.10 CFS. COMBINED RIGHT
NOS.: 29-13535, 29-13538, 29-13541, 29-13544, 29-13547, 29-13550,
29-13553.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.060 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R37E S22 NENE 0.7 T09S R37E S22 NWNE 4.3
STOCKWATER same as IRRIGATION

5 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13535, 29-13538, 29-13541, 29-13544, 29-13547, 29-13550, 29-13553.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS IS AN EXTENDED SEASON OF USE RIGHT BASED ON DECREED RIGHTS.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13535, 29-13538, 29-13541, 29-13544, 29-13547, 29-13550, 29-13553.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13300. THEN SPLIT TO 29-13520. THEN SPLIT TO THIS NUMBER.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13536

NAME AND ADDRESS: NATALIE GUNTER
PO BOX 433
MC CAMMON ID 83250

RUSSELL GUNTER
PO BOX 433
MC CAMMON ID 83250

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.234 CFS. COMBINED RIGHT NOS.:
29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551,
29-13554.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.060 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S14 NWSW 11.7

STOCKWATER same as IRRIGATION

11.7 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551, 29-13354.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS IS AN EXTENDED SEASON OF USE RIGHT BASED ON BENEFICIAL USE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551, 29-13354.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13300. THEN SPLIT TO 29-13520. THEN SPLIT TO THIS NUMBER.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13521
NAME AND ADDRESS: ROBERT E RUSH
PO BOX 129
LAVA HOT SPRINGS ID 83246

EVELEE HILL RUSH
PO BOX 129
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.096 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.156 CFS. COMBINED RIGHT NOS.:
29-13511, 29-13513, 29-13515, 29-13517, 29-13519, 29-13521.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SEENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.096 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County
T09S R37E S22 NENE 7.8
STOCKWATER same as IRRIGATION
7.8 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 7.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13511, 29-13513, 29-13515, 29-13517, 29-13519, 29-13521.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13511, 29-13513, 29-13515, 29-13517, 29-13519, AND 29-13521.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13300.

IDAHO DEPARTMENT OF WATER RESOURCES
- RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13580

NAME AND ADDRESS: MAX W HALL
PO BOX 784
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.672 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.89 CFS. COMBINED RIGHT
NOS.: 29-13580, 29-13587, 29-13593, 29-13599, 29-13605, 29-13611,
29-13617.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 2.672 CFS |
| STOCKWATER | 01/01 12/31 | 0.040 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | | |
|---------------------|------|------|---------------------|------|------|
| T09S R37E S14 | NWSW | 9.4 | T09S R37E S14 | SWSW | 28.0 |
| T09S R37E S15 | NESW | 37.0 | T09S R37E S15 | NESE | 39.0 |
| T09S R37E S15 | NWSE | 20.0 | T09S R37E S15 | SWSE | 5.7 |
| T09S R37E S15 | SESE | 38.0 | T09S R37E S22 | NENE | 2.0 |
| T09S R37E S22 | NWNE | 6.6 | T09S R37E S22 Lot 2 | SWNE | 19.0 |
| T09S R37E S22 Lot 1 | SENE | 4.2 | T09S R37E S22 Lot 4 | SWNW | 5.2 |
| T09S R37E S22 Lot 3 | SENW | 8.3 | | | |

STOCKWATER same as IRRIGATION

222.4 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 222.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13580, 29-13587, 29-13593, 29-13599, 29-13605, 29-13611, 29-13617.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13580, 29-13587, 29-13593, 29-13599, 29-13605, 29-13611, 29-13617.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13581

NAME AND ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.104 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.108 CFS. COMBINED RIGHT
NOS.: 29-13581, 29-13588, 29-13594, 29-13600, 29-13606, 29-13612,
29-13618.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.104 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE:

| <u>IRRIGATION Within BANNOCK County</u> | | | |
|---|------|-----|------------------------|
| T09S R37E S15 | NESW | 0.3 | T09S R37E S15 SESW 0.7 |
| T09S R37E S15 | NWSE | 1.3 | T09S R37E S15 SWSE 6.3 |

STOCKWATER same as IRRIGATION

8.6 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8.63 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13581, 29-13588, 29-13594, 29-13600, 29-13606, 29-13612, 29-13618.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS CLAIM IS FOR EXTENDED SEASON OF USE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13581, 29-13588, 29-13594, 29-13600, 29-13606, 29-13612, 29-13618.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13534.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13582

NAME AND ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON ID 83250

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.104 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.108 CFS. COMBINED RIGHT
NOS.: 29-13582, 29-13589, 29-13595, 29-13601, 29-13607, 29-13613,
29-13619.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County.

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.104 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S15 SWSE 8.7

STOCKWATER same as IRRIGATION

8.7 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8.65 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13582, 29-13589, 29-13595, 29-13601, 29-13607, 29-13613, 29-13619.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS IS AN EXTENDED SEASON OF USE CLAIM.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13582, 29-13589, 29-13595, 29-13601, 29-13607, 29-13613, 29-13619.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13534.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13583
NAME AND ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.105 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.111 CFS. COMBINED RIGHT
NOS.: 29-13583, 29-13590, 29-13596, 29-13602, 29-13608, 29-13614,
29-13620.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.105 CFS |
| STOCKWATER | 01/01 12/31 | 0.020 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County
T09S R37E S15 SWSE 6.0 T09S R37E S22 NWNE 2.8
STOCKWATER same as IRRIGATION
8.8 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8.75 ACRES IN A SINGLE IRRIGATION SEASON, COMBINED RIGHT NOS.: 29-13583, 29-13590, 29-13596, 29-13602, 29-13608, 29-13614, 29-13620.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS IS AN EXTENDED SEASON OF USE CLAIM.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13583, 29-13590, 29-13596, 29-13602, 29-13608, 29-13614, 29-13620.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13534.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13584

NAME AND ADDRESS: LANA NAEF
5812 E OLD OREGON TRAIL ROAD
LAVA HOT SPRINGS ID 83246

LARRY NAEF
5812 E OLD OREGON TRAIL ROAD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.075 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.075 CFS |
| STOCKWATER | 01/01 12/31 | 0.040 CFS |

PLACE OF USE: IRRIGATION Within BANNOCK County

| | | | | | |
|---------------|------|-----|---------------|------|-----|
| T09S R37E S22 | NENE | 3.2 | T09S R37E S22 | NWNE | 3.0 |
|---------------|------|-----|---------------|------|-----|

STOCKWATER same as IRRIGATION

6.2 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13586

NAME AND ADDRESS: ROSEN HULL
2142 ARBON VALLEY HWY
POCATELLO ID 83204

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.100 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.107 CFS. COMBINED RIGHT NOS.:
29-13586, 29-13592, 29-13598, 29-13604, 29-13610, 29-13616,
29-13622.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SESENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 0.100 CFS |
| STOCKWATER | 01/01 12/31 | 0.040 CFS |

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R37E S15 NWSE 5.1 T09S R37E S15 SWSE 3.2
STOCKWATER same as IRRIGATION

8.3 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13586, 29-13592, 29-13598, 29-13604, 29-13610, 29-13616, 29-13622.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13586, 29-13592, 29-13598, 29-13604, 29-13610, 29-13616, 29-13622.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13407
NAME AND ADDRESS: BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246
NATHAN CASPERSON
8789 E MAUGHAN RD
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION: T09S R38E S33 SENWNW Within BANNOCK County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 04/01 10/31 | 1.200 CFS |
| STOCKWATER | 04/01 10/31 | 0.040 CFS |

PLACE OF USE:

IRRIGATION Within BANNOCK County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T09S R38E S30 | NWNE | 2.7 | T09S R38E S30 | SWNE | 37.0 |
| T09S R38E S30 | SENE | 33.0 | T09S R38E S30 | NESE | 33.0 |
| T09S R38E S30 | NWSE | 39.0 | T09S R38E S30 | SWSE | 18.0 |
| T09S R38E S30 | SESE | 17.0 | | | |

STOCKWATER Within BANNOCK County

| | | | |
|---------------|------|---------------|------|
| T09S R38E S30 | SWNE | T09S R38E S30 | SENE |
| T09S R38E S30 | NESE | T09S R38E S30 | NWSE |
| T09S R38E S30 | SWSE | T09S R38E S30 | SESE |

179.7 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 179.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-10831, 29-10833, 29-13406, 29-13407.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPAZ CANAL SYSTEM.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11775

NAME AND ADDRESS: CARROLL AND IONE WILLMORE ESTATE
C/O JIM WILLMORE
519 PARK ST
ST ANTHONY ID 83445

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.610 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.61 CFS. COMBINED RIGHT NOS.:
29-204, 29-205, 29-206, 29-11775.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S10 NENWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER | 01/01 12/31 | 0.020 CFS |
| IRRIGATION | 04/01 10/31 | 1.610 CFS |

PLACE OF USE:

IRRIGATION Within BANNOCK County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T09S R37E S14 | SENW | 14.4 | T09S R37E S14 | NESW | 34.8 |
| T09S R37E S14 | SESW | 36.4 | T09S R37E S14 | SWSE | 35.8 |

STOCKWATER Within BANNOCK County

| | | | |
|---------------|------|---------------|------|
| T09S R37E S14 | SENW | T09S R37E S14 | NESW |
| T09S R37E S14 | SESW | T09S R37E S14 | SWSE |

121.4 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 121.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-204, 29-205, 29-206, 29-11775.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-204, 29-205, 29-206 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-204, 29-205, 29-206, 29-11775.

THIS RIGHT IS FOR AN ENLARGEMENT OF 6.6 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.